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August 22, 2022

**Via ECF:**

The Honorable Katherine Polk Failla  
United States District Court  
Southern District of New York  
Thurgood Marshall U.S. Courthouse  
40 Foley Square, New York, NY 10007

**MEMO ENDORSED**

Re: *Saca et al v. Elite Stone Fabricators, Inc. et al*  
Civil Docket No.: 21-cv-06601 (KPF)

Dear Judge Failla:

Our office represents the Plaintiffs in this FLSA action and we respectfully submit this letter motion to request an extension of time for the parties to file their Settlement Agreement and related settlement documents for this Court's review pursuant to *Cheeks v. Freeport Pancake House*, 796 F. 3d 199 (2d Cir. 2015), and in compliance with the Court's July 26, 2022 Order.

The parties' settlement documents were due to the Court by August 19, 2022. As an initial matter, we apologize as our office overlooked this deadline on our calendar last week. Our office is still in the process of drafting and coordinating with Defendants to finalize the terms of the motion and settlement agreement.

As such, we respectfully request 30 days to finalize the above-referenced documents and submit them for the Court's review. If granted, the parties anticipate they will complete the process and have the settlement documents ready for filing on or before September 19, 2022. Our office will continue to work diligently during this time to complete the process.

Prior to filing this extension request, we conferred with Defendants' counsel, who has consented to the relief sought herein. This is the first request for an extension of time to file the settlement documents and this request will not affect any other scheduled dates or deadlines in this matter.

We thank the Court for its kind consideration in this matter and we remain available to provide any additional information.

Respectfully submitted,

/s/  
James O'Donnell, Esq.

Application GRANTED. The parties shall submit their settlement documents on or before **September 19, 2022**.

The Clerk of Court is directed to terminate the motion at docket entry 24.

Dated: August 23, 2022  
New York, New York

SO ORDERED.

A handwritten signature in blue ink, reading "Katherine Polk Failla".

HON. KATHERINE POLK FAILLA  
UNITED STATES DISTRICT JUDGE